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10/519,921	10/12/2005	Axel Findling	118744-124	2724

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EXAMINER
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ROSEN, ELIZABETH H

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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11/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/519,921

**Applicant(s)**

FINDLING ET AL.

**Examiner**

Elizabeth Rosen

**Art Unit**

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/12/2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Status of Claims***

1. This action is in reply to the application filed on October 12, 2005.
2. Claims 1-20 are currently pending and have been examined.

### ***Priority***

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

6. Claim 1 contains the limitation of *"transmitting a confirmation message from a customer terminal via the data or telecommunication network to the accounting system server to release at least a partial credit for the payment amount for payment in assignment to the process identifier."* The specification does not describe what is meant by *"to release at least a partial credit for the payment amount for payment."*

7. Claim 1 contains the limitation of *"comparing, on the accounting system server, of the at least partial credit of the customer registered with the accounting system server and available for electronic management thereby with the payment amount released by the customer."* The specification does not describe what is meant by this limitation.

8. Claim 16 contains the limitation of *"released payment amount."* The specification does not describe what is meant by this limitation.

9. Claim 16 contains the limitation of *"a comparison device for comparing the credit amount with the payment amount and control and a transmission device connected to the comparison device to trigger the charge and to send the execution message to the retailer terminal."* The specification does not describe what is meant by this limitation.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 1, 6, 9, 16, and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. Claim 1 contains the limitation of *"generating a unique process identifier by the accounting system server for the payment and being transmitted at least in a first payment step in a confirmation request from the accounting system server, together with payment amount information, to a customer terminal."* It is unclear what is *"being transmitted."* For purposes of examination, Examiner has interpreted this limitation to mean that it is the identifier that is being transmitted.

13. Claim 1 contains the limitation of *"transmitting a confirmation message from a customer terminal via the data or telecommunication network to the accounting system server to release at least a partial credit for the payment amount for payment in assignment to the process identifier."* It is unclear what is meant by *"to release at least a partial credit for the payment amount for payment."* For purposes of examination, Examiner has interpreted this limitation to mean that the customer authorizes a certain amount to be charged by a retailer.

14. Claim 1 contains the limitation of *"comparing, on the accounting system server, of the at least partial credit of the customer registered with the accounting system server and available for electronic management thereby with the payment amount released by the customer."* It is unclear what is being compared. The claim states that the *"at least partial credit of the customer"* is being compared with the *"payment amount released by the customer."* It is unclear what these are and how they differ. The previous limitation in claim 1 states *"release at least a partial credit for the payment amount for payment."* Therefore, it appears that the *"at least partial credit of the customer"* and the *"payment amount released by the customer"* are the same. Consequently, it is not clear how these two things can be compared. For purposes of examination, Examiner has interpreted this limitation to mean that the amount that is authorized by the customer is compared to the payment amount that is to go to the retailer.

15. Claim 1 contains the limitation of *"further to the establishment of a credit amount exceeding the released payment amount by the accounting system server in response to the confirmation message, charging the released payment amount or a partial amount to be paid being triggered by this and sending a first execution message relating to the completed charge to a retailer terminal."* It is unclear what is meant by this limitation. For purposes of examination, Examiner has interpreted this to mean that the authorized amount is charged to the customer and a message relating to the completed charge is sent to the retailer.

16. Claim 6 contains the limitation of "*substantially larger*." The word "*substantially*" is variable and indefinite. For purposes of examination, Examiner has interpreted "*substantially larger*" to mean "larger."

17. Claim 6 contains the limitation of "*wherein the payment amount specified in the confirmation request for confirmation is substantially larger than a difference between the step-related payment amount and the remaining payment amount, such that further to a confirmation message for the payment amount, a new remaining payment amount is released for a plurality of subsequent payment steps in the accounting system server*." This limitation is unclear. For purposes of examination, Examiner has interpreted it to mean that a new payment amount is released.

18. Claim 9 contains the limitation of "*wherein the customer is notified of the process identifier at a point of sale outside the data or telecommunication network*." It is unclear what is meant by this limitation. For purposes of examination, Examiner has interpreted this to mean that the customer receives the identifier in a way other than the payment network.

19. Claim 16 contains the limitation of "*released payment amount*." This limitation is unclear. For purposes of examination, Examiner has interpreted this to mean the amount that is authorized by the customer.

20. Claim 16 contains the limitation of "*a comparison device for comparing the credit amount with the payment amount and control and a transmission device connected to the comparison device to trigger the charge and to send the execution message to the retailer terminal*." This limitation is unclear as explained with regard to the rejection of Claim 1 above. For purposes of examination, Examiner has interpreted this limitation to mean that the amount that is authorized by the customer is compared to the payment amount that is to go to the retailer.

21. Claim 18 contains the limitation of "*wherein the generating device for generating the process identifier and the transmission device are connected to for transmission thereof to the retailer terminal*." It is unclear what the devices are connected to. For purposes of examination, Examiner has interpreted this limitation to mean that there are two devices, but they are not necessarily connected to any specific device.

22. Claim 19 contains the limitation of "*wherein the accounting system server further comprises a calculation device to calculate the remaining payment amount from a stored released payment amount and at least one step-related payment amount and the storage device is connected to the calculation device to store the remaining payment amount in place of the released payment amount as input data for the comparison device*." It is unclear what is meant by this limitation. For purposes of examination, Examiner has interpreted this limitation to mean that the difference between the authorized amount and the payment amount is calculated.

23. Claim 20 contains the limitation of "*wherein the accounting system server has an identification and storage device for extracting a retailer identifier and/or customer identifier from messages from the*

*retailer terminal or customer terminal and a storage and addressing device for addressing the confirmation request and/or execution message and optionally further messages to the customer terminal or retailer terminal based on the stored retailer identifier or customer identifier."* This limitation is unclear. For purposes of examination, Examiner has interpreted this to mean that there is an identification and storage device.

### ***Claim Rejections - 35 USC § 103***

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 1-3, 7-10, 11-16, and 19-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Putta et al., U.S. Patent Application Publication Number 2001/0032192 A1.

#### **Claim 1:**

Putta discloses the limitations of:

- *generating a unique process identifier by the accounting system server for the payment and being transmitted at least in a first payment step... together with payment amount information, to a customer terminal (see at least Putta, Paragraphs 0046-0047 (SPAN); and Paragraph 0093 (unique authorization code));*
- *transmitting a confirmation message from a customer terminal via the data or telecommunication network to the accounting system server to release at least a partial credit for the payment amount for payment in assignment to the process identifier (see at least Putta, Paragraph 0075 (The customer creates the face value of the SPAN. By doing so, the customer is authorizing an expenditure that is not to exceed that amount.));*
- *comparing, on the accounting system server, of the at least partial credit of the customer registered with the accounting system server and available for electronic management thereby with the payment amount released by the customer (see at least Putta, Paragraph 0060 (The transaction is either*

authorized or rejected based on whether the authorization amount is greater than the payment amount.)); and

- *further to the establishment of a credit amount exceeding the released payment amount by the accounting system server in response to the confirmation message, charging the released payment amount or a partial amount to be paid being triggered by this (see at least Putta, Paragraph 0060 ("Upon receipt of authorization, merchant 200 proceeds with the transaction."))*

Putta does not explicitly disclose:

- *in a confirmation request from the accounting system server.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to send a confirmation request. For example, when people send packages through the mail or a delivery service, it has always been common to request confirmation of delivery from the recipient. Additionally, when people make purchases, they have often requested receipts, especially when an item is being ordered. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of creating an obvious variation of Putta, which discloses that the merchant sends the confirmation request (see at least Paragraph 0055). It would be obvious that the accounting system (as in the instant application) could send the confirmation request as opposed to the merchant (as in Putta). Additionally, it is obvious that the server would require that the customer confirm that the identifier and payment amount were received.

Putta does not explicitly disclose:

- *sending a first execution message relating to the completed charge to a retailer terminal.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to send a confirmation of payment to the retailer. For example, when retailers swipe a customer's credit card, they wait for confirmation that the customer has the sufficient credit available before proceeding with the transaction. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of creating an obvious variation of Putta, which discloses that the message is sent to the customer (see at least Paragraphs 0060 and 0095). It would be obvious that a message would be sent to the retailer (as in the instant

application) as opposed to sending the message to the customer (as in Putta). Before the retailer completes a transaction, it will want to be certain that the payment has been made.

**Claim 2:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the process identifier is generated in assignment to a customer identifier by the accounting system server and transmitted in advance to the retailer in response to a request message transmitted from the retailer terminal (see at least Putta, Paragraph 0055 (Merchant requests a SPAN.)).*

**Claim 3:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the process identifier is sent electronically in an identifier notification from the accounting system server to the retailer terminal (see at least Putta, Figure 2 and Paragraph 0055 (Merchant requests a SPAN.)).*

**Claim 7:**

Putta discloses the limitations as described above. Putta does not disclose:

- *wherein each message from the retailer terminal or the accounting system server includes a retailer identifier and a context data record identifying the goods or service.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to include information regarding the transaction in messages relating to the transaction. For example, receipts almost always contain this information. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of making it easy to identify the transaction that the message relates to by including information regarding the transaction. Relevant information about a transaction would obviously include the identity of the retailer and the subject of the transaction (i.e., the goods or services being purchased.). If the message is saved for record keeping purposes, it would be necessary to include this information.

**Claim 8:**

Putta discloses the limitations as described above. Putta further discloses:



- *the process identifier is transmitted to the retailer terminal by email or SMS (see at least Putta, Paragraph 0100).*

**Claim 9:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the customer is notified of the process identifier at a point of sale outside the data or telecommunication network (see at least Putta, Paragraph 0046-0047).*

**Claim 10:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the confirmation request is transmitted from the accounting system server to the customer terminal via email, WAP push, SMS or as a synthetic voice message (see at least Putta, Paragraph 0100).*

**Claim 11:**

Putta discloses the limitations as described above. Putta does not disclose:

- *wherein the confirmation request from the accounting system server to the customer terminal includes a retailer name and a context data record identifying the goods or service.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to include information regarding the transaction in messages relating to the transaction. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of making it easy to identify the transaction that the message relates to by including information regarding the transaction. Relevant information about a transaction would obviously include the identity of the retailer and the subject of the transaction (i.e., the goods or services being purchased.). If the message is saved for record keeping purposes, it would be necessary to include this information.

**Claim 12:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the confirmation message is sent from the customer terminal to the accounting system server by email redirect, WAP redirect or SMS redirect*

*without additional input on the part of the customer (see at least Putta, Paragraph 0100).*

**Claim 13:**

Putta discloses the limitations as described above. Putta does not explicitly disclose:

- *wherein the confirmation message is sent from the customer terminal to the accounting system server by voice message subject to subsequent voice ID or by DTMF.*

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of creating an obvious variation of Putta, which discloses email (see at least Paragraph 01000). It would be obvious to instead use a voice message.

**Claim 14:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the confirmation message from the customer terminal to the accounting system server includes a customer identifier that is automatically generated or input by the customer and optionally also an authentication code (see at least Putta, Paragraphs 0046-0047 (SPAN); and Paragraph 0093 (unique authorization code)).*

**Claim 15:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the accounting system server sends a second execution message to the customer terminal in addition to the first execution message to the retailer terminal (see at least Putta, Paragraphs 0060 and 0095 (customer receives notification message.)).*

**Claim 16:**

Putta discloses the limitations of:

- *an accounting system server of an accounting system operator (see at least Putta, Paragraph 0046 (accounts database));*

- *a customer terminal linked to a data and/or telecommunication network, which can be connected via the network to the accounting system server (see at least Putta, Paragraph 0047 (online interface for customers));*
- *a retailer terminal linked to the data and/or telecommunication network or a further communication network, which can be connected via the network to the accounting system server (see at least Putta, Paragraph 0131);*
- *a receiving device for receiving a confirmation message from the customer terminal and for extracting at least the process identifier and a released payment amount from this (see at least Putta, Paragraph 0075 (The customer creates the face value of the SPAN. By doing so, the customer is authorizing an expenditure that is not to exceed that amount. This information is sent to the system as confirmation of the payment.));*
- *a storage device for customer-related storage of the credit amount and for process-related storage of the released payment amount (see at least Putta, Paragraph 0044 (databases)); and*
- *a comparison device for comparing the credit amount with the payment amount and control and a transmission device connected to the comparison device to trigger the charge (see at least Putta, Paragraph 0060 (The transaction is either authorized or rejected based on whether the authorization amount is greater than the payment amount.)).*

Putta does not explicitly disclose:

- *wherein the accounting system server has a generating device for generating and sending a confirmation request to the customer terminal.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to send a confirmation request. For example, when people send packages through the mail or a delivery service, it has always been common to request confirmation of delivery from the recipient. Additionally, when people make purchases, they have often requested receipts, especially when an item is being ordered. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of creating an obvious variation of Putta, which discloses that the merchant sends the confirmation request (see at least Paragraph 0055). It would be obvious that the accounting system (as in the instant application) could send the confirmation request as opposed to the merchant (as in

Putta). Additionally, it is obvious that the server would require that the customer confirm that the identifier and payment amount were received.

Putta does not explicitly disclose:

- *send the execution message to the retailer terminal.*

However, Examiner takes Official Notice that it is old and well known in the electronic payment arts to send a confirmation of payment to the retailer. For example, when retailers swipe a customer's credit card, they wait for confirmation that the customer has the sufficient credit available before proceeding with the transaction. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature with Putta's method and apparatus for improved financial instrument processing for the purpose of creating an obvious variation of Putta, which discloses that the message is sent to the customer (see at least Paragraphs 0060 and 0095). It would be obvious that a message would be sent to the retailer (as in the instant application) as opposed to sending the message to the customer (as in Putta). Before the retailer completes a transaction, it will want to be certain that the payment has been made.

**Claim 19:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the accounting system server further comprises a calculation device to calculate the remaining payment amount from a stored released payment amount and at least one step-related payment amount and the storage device is connected to the calculation device to store the remaining payment amount in place of the released payment amount as input data for the comparison device (see at least Putta, Paragraph 0060 (The transaction is either authorized or rejected based on whether the authorization amount is greater than the payment amount.)).*

**Claim 20:**

Putta discloses the limitations as described above. Putta further discloses:

- *wherein the accounting system server has an identification and storage device for extracting a retailer identifier and/or customer identifier from messages from the retailer terminal or customer terminal and a storage and addressing device for addressing the confirmation request and/or execution message and*

*optionally further messages to the customer terminal or retailer terminal based on the stored retailer identifier or customer identifier (see at least Putta, Figure 3, Item 352; Figure 6, Item 350; Figure 10, Item 351; and Paragraph 0046 (database)).*

26. Claims 4-6 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Putta et al., U.S. Patent Application Publication Number 2001/0032192 A1 in view of Maritzen et al., U.S. Patent Application Publication Number 2003/0187784 A1.

**Claim 4:**

Putta discloses the limitations as described above. Putta does not disclose, but Maritzen, however does disclose:

- *wherein a second payment step and any additional steps of an associated series of payment steps are executed in each instance by transmission of a step-related payment amount in assignment to the process identifier to the accounting system server, verification of the step-related payment amount in relation to a payment amount remaining from the released payment amount and charging further to the establishment of a step-related payment amount less than the remaining payment amount and sending a further execution message to the retailer terminal (see at least Maritzen, Paragraph 0078 (It is determined whether the payment amount exceeds the amount authorized by the customer. If the payment amount exceeds the authorized amount, the customer can authorize payment of the amount in excess of the previously authorized amount. Then, funds are transferred from the customer to the merchant to pay this additional amount.)).*

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate Maritzen's feature with Putta's method and apparatus for improved financial instrument processing. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of determining the amount of the payment that the customer has not authorized for payment. It would be obvious to determine this amount in order to determine whether additional authorization is required.

**Claim 5:**

Putta/Maritzen discloses the limitations as described above. Putta does not disclose, but Maritzen, however does disclose:

- *wherein in the second payment step or additional steps in the result of the establishment of a step-related payment amount exceeding the released remaining payment amount, a confirmation request is sent by the accounting system server to a customer terminal with the original or a new process identifier and payment amount information with a payment amount at least covering the difference between the step-related payment amount and the remaining payment amount and charging of the step-related payment amount is only triggered after receipt of a corresponding confirmation message from the customer terminal (see at least Maritzen, Paragraph 0078 (It is determined whether the payment amount exceeds the amount authorized by the customer. If the payment amount exceeds the authorized amount, the customer can authorize payment of the amount in excess of the previously authorized amount. Then, funds are transferred from the customer to the merchant to pay this additional amount.)).*

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate Maritzen's feature with Putta/Maritzen's method and apparatus for improved financial instrument processing. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of determining the amount of the payment that the customer has not authorized for payment. It would be obvious to determine this amount in order to determine whether additional authorization is required.

**Claim 6:**

Putta/Maritzen discloses the limitations as described above. Putta does not disclose, but Maritzen, however does disclose:

- *wherein the payment amount specified in the confirmation request for confirmation is substantially larger than a difference between the step-related payment amount and the remaining payment amount, such that further to a confirmation message for the payment amount, a new remaining payment amount is released for a plurality of subsequent payment steps in the accounting system server (see at least Maritzen, Paragraph 0078 (If the payment amount exceeds the amount authorized by the customer, the customer can agree to pay the new (i.e., higher) amount.)).*

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate Maritzen's feature with Putta/Maritzen's method and apparatus for improved financial instrument processing. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of determining the amount of the payment that the customer has not authorized for payment. It would be obvious to determine this amount in order to determine whether additional authorization is required.

**Claim 17:**

Putta discloses the limitations as described above. Putta does not disclose, but Maritzen, however does disclose:

- *wherein the customer terminal is configured as a mobile radio terminal and the data and/or telecommunication network has a mobile radio network, and a mobile radio transmission/receiving device is assigned to the accounting system server for bi-directional mobile radio communication with the customer terminal (see at least Maritzen, Paragraph 0021).*

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate Maritzen's feature with Putta's method and apparatus for improved financial instrument processing. One of ordinary skill in the art would have been motivated to incorporate this feature for the purpose of wirelessly connecting to the network. It would be obvious that it is more convenient for customers to be able to wirelessly and remotely connect to the internet.

**Claim 18:**

Putta/Maritzen discloses the limitations as described above. Putta further discloses:

- *wherein the generating device for generating the process identifier and the transmission device are connected to for transmission thereof to the retailer terminal (see at least Putta, Figure 1 and Figure 2).*

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Rosen whose telephone number is 571-270-1850. The examiner can normally be reached on Monday - Friday, 8:30 am-6:00 pm est, alt Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGA NGUYEN  
PRIMARY EXAMINER